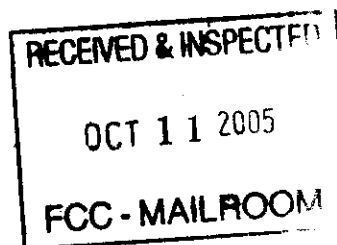


Date: October 4, 2005

DOCKET FILE COPY ORIGINAL

FCC  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554



**Request for Review** of USAC Denial of funding request  
Funding Request Number: 1300530  
Billed Entity Number: 121503  
Form 471 Application Number: 471929  
CC Docket Number: 02-6

I hereby request a reversal of the USAC denial of funding of my 471 application number 471929. The basis for this denial was the lack of my signature on the hard copy in Block 6, Item 38 of my Form 471. I do agree, that due to an oversight on my part, I neglected to send the proper copy of Block 6, Item 38 which I had signed. This decision does not take into consideration that my form was filed through the USAC's website which requires an electronic certification that all forms were true and correct to the best of my ability. I did make this electronic certification under all of the federal governing rules and regulations AND met all pertinent deadlines.


The USAC's denial of my appeal on this issue affirms to me that the USAC's website certification is not a certification at all and carries no weight of submittal or certification of any kind and should be immediately and permanently removed from the online 471 submittal process. It should further more be clearly stated that the online process is not certified and is in no way a formal application unless a full, signed hardcopy of all forms are received by the USAC.

I was never notified of any lack of signature on Block 6, Item 38 and would have faxed or expressed mail an original signature had I been made aware of this deficiency.

This is clearly a case of an individual employee acting honestly and in good faith so a school system may further the education of it's students. It is unreasonable to not be given a chance to correct a simple honest mistake of putting the wrong copy in an envelope. I would feel totally different about this whole process had I made no certification at any time that my information was true and correct to the best of my ability.

For these reasons I ask the FCC to reverse the USAC Administrators decision and approve my 471 application.

Sincerely,

  
Francis (Joe) Spina  
Network Administrator  
Bucksport School Department  
PO Drawer 1519  
60 Elm Street  
Bucksport, Maine 04416  
Voice 207-469-2034  
Fax 207-469-6640  
tech@bucksportschools.com

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Joe Spinazola  
Bucksport School Department  
60 Elm Street  
Post Office Drawer 1519  
Bucksport, ME 04416

USAC  
Decision LETTER

Billed Entity Number: 121503  
Form 471 Application Number: 471929  
Form 486 Application Number:



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2005-2006**

August 25, 2005

Joe Spinazola  
Bucksport School Department  
60 Elm Street  
Post Office Drawer 1519  
Bucksport, ME 04416

Re: Applicant Name: BUCKSPORT SCHOOL DEPARTMENT  
Billed Entity Number: 121503  
Form 471 Application Number: 471929  
Funding Request Number(s): 1300530  
Your Correspondence Dated: May 25, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Rejection Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1300530  
Decision on Appeal: **Denied**  
Explanation:

- On appeal, you seek reversal of the SLD's decision to reject your Form 471 for failure to sign Block 6, Item 38, of your Form 471. In support of your request, you assert that although you electronically signed the application, that when reviewing the hardcopy, you noticed that you had neglected to sign Item 38, and you request that the SLD approve your amended Form 471 for certification.
- Upon review of the appeal and all relevant documentation, it has been determined that the original submission of this funding request was missing data in Block 6, Item 38, which caused the form to be rejected for failing to meet the minimum processing standards for that form. Forms that do not meet the minimum processing standards are not considered for funding. On May 27, 2005, you sent

an appeal along with an amended Block 6 Certification page. In your letter you acknowledge that the original form was sent without a signature and request that the correction be accepted and the application considered. However, in order to receive consideration within the Funding Year 2005 window, program rules require that the completed Form 471 and certification be received by the SLD or postmarked no later than February 18, 2005. Furthermore, it is the responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner.

- The Form 471 that you submitted was not complete because the Signature in Block 6, Item 38, of the Certification page submitted was blank. As a result, the Form 471 was rejected for failing to meet minimum processing standards. Since you have not shown in your appeal that your Form 471 was improperly rejected or returned, your appeal is denied.
- Your Form 471 was rejected because it failed to meet Minimum Processing Standards. FCC rules require applicants to "submit a completed FCC Form 471 to the Administrator." 47 C.F.R. § 54.504(c). The Form 471 requires applicants to provide the information requested on that form. *See Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (FCC Form 471)*. "Every funding year, SLD establishes and notifies applicants of 'minimum processing standards' to facilitate efficient review of the thousands of applications requesting funding." *Request for Review by Sayville Library, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 16 FCC Rcd 5032, DA 03-3637, ¶ 3 (rel. Nov. 14, 2003); FCC Form 471 Instructions, at p. 6-9 (Oct. 2003). "When an applicant submits a Form 471 that omits an item subject to the minimum processing standards, SLD automatically returns the application to the applicant without considering the application for discounts under the program." *Id.*

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company